



UNITED STATES MARINE CORPS
MARINE CORPS RECRUIT DEPOT/WESTERN RECRUITING REGION
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DepO 12335.1D

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DEPOT ORDER 12335.1D

From: Commanding General
To: Distribution List

Subj MERIT STAFFING PROGRAM

Ref: (a) Master Labor Agreement
(b) DepO 5310.5D
(c) CPI 335 and Supplements (NOTAL)
(d) 5 CFR 335 and Supplements (NOTAL)

Encl: (1) Merit Staffing Plan
(2) Definitions
(3) Conditions of Temporary Promotion

1. Situation. Managers and supervisors are the ultimate personnel managers of the Navy and Marine Corps. Responsibility for making selections and evaluating candidates, to include accountability for the end result (e.g., fair and equitable treatment without regard to non-merit factors; fair and open competition; and selection based on relative knowledge, skills and abilities) rests with the selecting official. Accordingly, managers and supervisors should retain a copy of this Order for reference purposes.

2. Cancellation. DepO 12335.1C.

3. Mission. To establish procedures and responsibilities for filling vacant positions in accordance with references (a) through (d).

4. Execution

a. Consideration and selection will be made on the basis of merit under systematic and equitable procedures. Selection of candidates will be made without regard to political, religious, or labor organization affiliation or non-affiliation, marital status, race, color, sex, sexual orientation, national origin, non-disqualifying physical handicap, or age, and shall be based solely on job-related criteria.

b. Merit staffing is but one source of filling a vacancy. Other sources, such as Department of Defense (DoD) or Navy-wide Career Management Programs, Office of Personnel Management (OPM) competitive civil service registers, etc., may be used concurrently or to the exclusion of the merit staffing process. In deciding which source(s) to use, management has an obligation to consider Affirmative Employment and Federal Equal Employment Opportunity Program goals and objectives. Selections will be made from among the best-qualified candidates available and on the basis of merit under systematic and equitable procedures.

c. The provisions of the Department of Navy (DON) Prior Consideration File (PRICON), the Department of the Navy Return to Duty Program, and the Department of Defense Program for the Stability of Civilian Employment (Priority Placement Program) take precedence and will be adhered to in all placement actions.

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d. If there is a conflict between procedures prescribed in this Order and those set forth in reference (a), the Master Labor Agreement (MLA) will take precedence.

5. Goals. The goals of the Merit Staffing Program are to:

a. Provide a method by which the activity may meet its internal staffing needs in a timely fashion.

b. Enhance organizational effectiveness by assuring that internal competitive actions are made by selecting from among the available candidates, those most capable of performing the duties of the position to be filled.

c. Ensure that employees receive fair and appropriate consideration for advancement and developmental opportunities.

d. Provide incentives for employees to improve their performance and develop their knowledge, skills, and abilities.

e. Provide a proper balance between maximum usage of the activity's employees and the infusion of new talent.

f. Assure that promotions are made only when there is an actual need for performance of higher level duties and only when there is a candidate with the ability to perform at the higher level.

g. Foster employee understanding of, and confidence in the activity's Merit Promotion Program and personnel policies.

h. Provide management the flexibility to staff positions from any source as long as merit requirements are met.

6. Action

a. Supervisors. Supervisors at all levels have a key role in the success of the Merit Staffing Program. Supervisory personnel are obligated to adhere to both the spirit and the letter of merit system principles and requirements in the recruitment and placement process. Specifically, supervisors will:

(1) Comply with the policies and procedures outlined in this directive and reference (b);

(2) Provide advice and assistance to subordinates concerning the Merit Staffing Program and maintain a copy readily available for reference by any interested employee;

(3) Give fair, equitable, prompt, and full consideration to eligible candidates referred by the Human Resources Office (HRO) and/or the Human Resources Service Center-Southwest (HRSC-SW);

(4) To the extent practicable, provide subordinate employees with opportunities for development of skills and abilities through cross-training, details, special assignments, and schooling on an equitable basis;

(5) Assist in development of realistic job requirements, crediting plans, and evaluation criteria; and

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(6) Initiate recruitment requests (Standard Form 52 {SF-52}) and forward them in a timely manner to the Position Management Board in accordance with reference (b).

b. Employees. The interest and support of all employees is essential to the success of the Merit Staffing Program. Employees are responsible for:

(1) Keeping informed of provisions of the program, requesting information when needed and following HRSC-SW Application Kit procedures when applying for vacancies;

(2) Submitting a complete and accurate resume to the HRSC-SW and for checking for vacancy announcements on a regular basis (i.e., DON World Wide Web page at www.donhr.navy.mil and local bulletin boards);

(3) Making their career aspirations and interests known to their supervisors in order to enhance their chances for advancement through superior job performance and personal self-development efforts;

(4) Demonstrating through their conduct, attitude, interest, and capabilities that they merit consideration for promotion;

(5) Reviewing and updating their personnel records in a timely manner to reflect changes in, or additions to their experience, training, awards, or education; and

(6) Understanding the intent of the Merit Staffing Program, which is to provide employees with the opportunity for fair and appropriate consideration and not to guarantee a right to promotion or position.

c. Human Resources Office Director. Responsible for administering, evaluating, and revising the Merit Staffing Program in accordance with applicable directives. Specifically, the Human Resources Office Manager will:

(1) Administer, direct, and coordinate Merit Staffing Program operations to include initiating modification to conform with changes in regulatory or statutory requirements;

(2) Provide advice and assistance to operating officials, supervisors, and employees in the performance of their related responsibilities;

(3) Make available vacancy announcements, changes in policies and procedures, and other aspects of the Merit Staffing Program in order to keep employees informed and enhance their understanding of the promotion process;

(4) Determine when positions are to be filled by sources specified under Department of Defense, Department of the Navy, statutory or other regulatory requirements, and advise operating officials and supervisors; and

(5) Evaluate the effectiveness, recommend, and implement changes to make the program more efficient, effective, and responsive to activity needs. As a part of the evaluation process, the views of employee organizations and management will be solicited.

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7. Command and Signal. By previous agreement, this Order is applicable to all commands, organizations, units, and activities receiving services from the Human Resource Office; Marine Corps Recruit Depot, San Diego.



T. W. SPENCER
Chief of Staff

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MERIT STAFFING PLAN1. General Provisions

a. This plan applies to all promotions in the competitive service and appointments to positions temporarily in the excepted service, e.g., Veterans Readjustment Appointment (VRA), Persons with Disabilities Employment Program, etc. This plan sets forth policy regarding promotion and placement actions taken under the Merit Staffing Program at commands, units, organizations, and activities that receive services from the Human Resource Office, Marine Corps Recruit Depot, San Diego, California.

b. For any situation not clearly covered by this Order, the guidelines and instructions published in the references will be used. Applicable instructions subsequently issued by the Office of Personnel Management, DoD, DON, or other higher authority will take precedence.

2. Prior Consideration of Placement

a. Prior to taking any action to fill a vacant position either competitively or noncompetitively (except the placement of an employee with statutory or regulatory rights), employees who are entitled to prior consideration for placement will be referred. Employees entitled to prior consideration for placement will be referred in the following order:

(1) Employees on grade and pay retention. To be eligible for referral, employees under grade and pay retention must have been demoted for reasons not stemming from personal cause or request. Such consideration does not extend to those employees who accept a change to lower grade to enter formal development or upward mobility positions nor to those who accept a change to lower grade as a result of solicitation for a hard-to-fill position. These employees must be referred for each position for which fully qualified which is at or below the saved grade level or the level from which demoted and above the level of the position to which assigned. Such employees will be afforded first offer of repromotion to the position from which they were downgraded unless there are justifiable reasons for nonselection. If the employee is not provided the first offer of the position, the reasons(s) will be provided to the employee in writing. Eligibility terminates when entitlement to pay/salary retention terminates or employee accepts or declines a reasonable offer of repromotion.

(2) Employees who did not receive proper consideration for promotion in a prior recruitment action due to a procedural, regulatory, or program violation. Such employees must be awarded prior consideration for the next appropriate vacancy. This privilege will be granted for a one year period and may be extended for an additional year. (CPI 335 contains additional information.)

(3) Employees registered in the Return to Duty Program.

(4) DoD Program for Stability of Civilian Employment (Priority Placement Program) registrants.

b. When practical, all persons entitled to prior consideration or similar remedy should be referred together to the selecting official. When more than one entitlement exists, distinctions must be made in order of the sources of entitlements, e.g., law or court order first, followed by government-wide regulations, followed by agency policy.

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c. Prior consideration rights do not apply to positions which offer higher known promotion potential. Eligible employees are entitled to bona fide consideration for appropriate vacancies before other means of filling the position are instituted. There is no "entitlement" to selection. If an employee is not selected under prior consideration and the employee applies for and is certified as one of the best qualified under competitive promotion procedures for the same position, the selection official must state the reason(s), in writing, for not selecting that employee. The Human Resources Office will maintain appropriate documentation on employee eligibility and consideration.

3. Covered Personnel Actions. Competitive procedures apply to the following actions:

a. Permanent promotion or transfer to a position with a higher grade, or to a position with more promotion potential than a position previously held on a permanent basis in the competitive service (unless excluded under paragraph 4 below).

b. Temporary promotion, term promotion, or details for more than 120 days to a higher graded position, or to a position with more promotion potential (unless excluded under paragraph 4 below). Prior service under all temporary promotions and details to higher graded positions during the previous 12 months count toward this limitation.

c. Selection for training that is part of an authorized training agreement, part of a promotion program, or required before an employee may be considered for a promotion as specified in 5 CFR 410.302.

d. Reassignment, transfer, or demotion to a continuing position with more promotion potential than a position previously held on a nontemporary appointment in the competitive service (unless excluded under paragraph 4 below or as permitted by reduction-in-force (RIF) regulations).

e. Reinstatement to a permanent or temporary position at a higher grade or with more promotion potential than a position held on a permanent basis in the competitive service.

f. Selection from the Reemployment Priority List (RPL) for a position at a higher grade than that from which separated.

4. Exceptions to Competitive Actions. Competitive procedures do not apply to:

a. A promotion resulting from the reclassification of a position when:

(1) The position is being upgraded due to the issuance of a new classification standard or correction of an initial classification error.

(2) The addition of duties and responsibilities result in the position being classified at a higher grade; the major duties of the old position are absorbed into the new position and the former is cancelled; there is no change in organizational entity (immediate supervisor); there is no addition of supervisory duties to a nonsupervisory position; the new position has no known promotion potential; and/or the additional duties do not adversely affect another encumbered position.

b. A position change permitted by RIF procedures as covered under 5 CFR 351.

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c. Career promotion of an employee when competition was held at an earlier date either through appointment from an OPM register or through an excepted service appointment in the competitive service such as the Student Education Program, Veterans Readjustment Appointment, etc.; or placement in a career ladder position as a result of RIF.

d. Career promotions of employees who were selected for positions through competitive procedures may be promoted to the full performance level without further competition. Such positions, when advertised under merit promotion procedures, will indicate that the position has promotion potential or is a trainee position.

e. Temporary promotion or detail to a higher graded position, or a position with known promotion potential for 120 days or less.

f. Reassignment, demotion, promotion, repromotion, or transfer to a position graded no higher, nor having higher promotion potential than that held or previously held on a permanent basis in the competitive service (except when demoted for personal cause). For example, a GS-4 who has held a GS-5 with promotion potential to GS-9 could be noncompetitively placed in any position having promotion potential to GS-9 or below, if otherwise qualified.

g. Permanent promotion to a position previously held under temporary or term promotion, or detail when:

(1) The assignment was originally made under competitive procedures,

(2) It was made known to all competitors that it might lead to permanent promotion, and

(3) The area of consideration is the same as it would have been for a permanent promotion.

h. Selections for higher graded positions, positions with known promotion potential of permanent government employees from OPM or Delegated Examining Authority certificate of eligibles and candidates selected under activity-held direct-hire appointing authorities.

i. The promotion of an employee to a position with a representative rate which is the same or lower rate than that of the position currently held, which, because of pay-setting policies, results in a technical promotion only.

j. Placement as a result of priority consideration when a candidate was not previously given proper consideration in a competitive promotion action.

k. Reassignment or demotion of a permanent employee to a position with no higher potential than his/her currently held position.

l. Reinstatement of a former competitive service employee to the same or lower grade than the last held permanent grade level.

m. Transfer of a current permanent employee from a federal agency to the same or lower level with no higher promotion potential than the currently held position in the competitive service.

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5. Temporary Promotions

a. No temporary promotion may be made to a supervisory position for less than 31 calendar days unless authorized. Temporary promotions to nonsupervisory positions for periods of shorter duration than 30 calendar days will not be effected. Temporary promotions may be made noncompetitively if the employee has not served in either a detail to a higher-grade position or on other temporary promotions during the preceding 12 months which cumulatively exceeds 120 days. All temporary promotions that will exceed 120 days (or the total time will exceed 120 days) must be made competitively.

b. Managers must submit to HRO a request for a Temporary Promotion via SF-52 for submission to the Position Management Board. Management shall complete a Conditions of Temporary Promotion form, enclosure (3), obtain the employee's signature and submit it to the HRO. Temporary promotion requests and requests for extension must be received in the HRSC-SW at least five working days prior to the desired effective date. A temporary promotion must be terminated prior to any action to permanently assign the employee to any position other than the one to which temporarily promoted.

6. Candidate Search. The Area of Consideration (AOC) and method of locating candidates may vary according to what position is to be filled.

a. Area of Consideration. The minimum AOC is an appropriate subdivision of an activity which will produce sufficient high quality candidates unless otherwise dictated by career programs. The AOC can be extended (i.e., the department, activity, installation, or geographic area where the vacancy exists; DON; DoD; all Federal agencies, etc.). The AOC which has traditionally been expressed in terms of commuting areas will include all applicants who indicate availability for the geographic area rather than just those who reside or work in that area.

b. Method of Locating Candidates

(1) Candidates may be located using a wide range of methods which may vary with each vacancy, dependent upon the AOC, the type of position, and other similar considerations. Selecting officials retain the right to select from sources other than the Merit Staffing Program at any time during the recruitment and evaluation process to include consideration of noncompetitive candidates who may be referred at any time during the process and appointed without having to rank among the best qualified under merit staffing procedures.

(2) In deciding which source or sources to use, the selecting official has an obligation to determine which is most likely to meet DON's and the activity's mission objectives, including the infusion of fresh ideas, new viewpoints and considerations of affirmative action and Federal Equal Opportunity Recruitment Program goals and objectives.

7. Initiating Recruitment Requests. Per reference (d), managers will submit their requests for personnel action along with a copy of the Position Description to the HRO for submission to the Position Management Board. The information listed below should be included with each recruitment SF-52.

a. Area of Consideration. The HRO staff will assist managers in identifying a recruitment strategy. The AOC can be restricted to one, some, or all of the following sources:

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(1) Current permanent Federal civilian employees within an activity/ installation; DON; DoD; all Federal services; and/or:

(2) Delegated Examining Authority, OPM registers, or agency direct hire eligibles;

(3) Executive Order 12721 - Certain former military and civilian family members previously employed overseas;

(4) Interagency Career Transition Assistance Plan (ICTAP);

(5) Non-Appropriated Fund (NAF) Interchange;

(6) Outstanding Scholar Program;

(7) Persons with Disabilities Employment Program;

(8) Reinstatement of former Federal employees;

(9) Student Employment Program;

(10) Veterans' Employment Opportunity Act (VEOA);

(11) Veterans' Readjustment Appointment;

(12) 30% or more Disabled Veteran Program;

(13) Other sources (i.e., management can request the interrogation of the DoD Priority Placement Program (PPP) for positions identified as "hard to fill" for valid consideration of PPP candidates, or other noncompetitive candidate outlined in paragraph 4 above {Exception to Competitive Procedures}).

b. Description of Duties. Describe special duties, tasks, training and skill requirements of the position that are required in the position description.

c. Search Options. Identify the recruitment search options to use for the vacancy. The search option can be used for the specific occupational series and grade (i.e., GS-0334-11) of the vacancy being recruited. However, management may choose to fill a position at a lower grade with promotion potential to the full performance level; expand the search to include all applicants in the database who applied for the same job family of the vacancy (i.e., GS-0300-09 target GS-11); or search the complete database of applicants who have skills that match the position.

d. Cutoff Date. Denote the specific cutoff date for a recruitment action. The cutoff can be the date the recruitment action is received in the HRSC-SW, or a later date (i.e., five days, two weeks, 30 days, etc.).

e. Special Coordination Requirements. State if there are any recruitment efforts that need to be coordinated with the vacancy (i.e., posting the vacancy on the Priority Placement Program web page; or coordinate internal recruitment with a Delegated Examining Authority announcement, newspaper or trade magazine advertisement).

f. Permanent Change of Station (PCS) Expense Authority. Indicate on the SF-52 whether PCS expenses will or will not be paid.

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g. Specific Position Requirements. Specify the position requirements that may not be clearly identified in the position description. Provide a brief description of special duties or task requirements of the vacant position to ensure skills requirements are adequately identified. This may include DAWIA requirements, specific project skill requirements, etc.

h. Condition of Employment. Stipulate the conditions of employment that candidates need to be aware of when an offer is made. Examples include security clearance, shift work, travel, licensing or credentialing, drug testing, pre-employment physical examination, etc.

i. Point of Contact. Include the name, DSN phone and fax number of the person the HRSC-SW should contact to discuss the recruitment action and to finalize the crediting plan.

8. Management Identification of Candidates (MID)

a. A MID is an appropriate option when the AOC is small enough that all potential candidates (a minimum of three potential candidates) are known to the selecting official and can be evaluated and considered for the position without advertising the vacancy to a wider area.

b. The HRO has the authority to announce MID announcements. All other announcements will be completed by the HRSC-SW.

c. In order to initiate the MID process, management will submit to the HRO the request to conduct the MID. The HRO will do the following: (1) issue the MID announcement and make distribution throughout the activity, i.e., MCRD or 12th MCD; and (2) forward the PPI to the HRSC-SW in order that the HRSC-SW can requisition the Priority Placement Program (PPP).

d. Upon the PPP being cleared, the HRSC-SW search the STAIRS/Resumix program for applicants within the AOC. i.e., MCRD or 12th MCD. The resumes of the qualified applicants will be forwarded to the selecting official via the HRO. MID vacancy announcements will be open for receipt of applications for a minimum of 10 days, in accordance with reference (b).

9. Vacancy Announcements. Vacancy announcements are published as "Civilian Careers Flyers" by the HRSC-SW. The flyers provide multiple job series information by job "family" or "group" for which applications are being accepted. Individual Civilian Careers flyers may be used to publicize specific vacancies when there are insufficient qualified candidates in the HRSC-SW database inventory.

10. Standard Automated Inventory and Referral System (STAIRS)

a. The HRSC-SW utilizes an automated resume system called the STAIRS. The software used to implement STAIRS is a commercial product called Resumix. Resumix is a sophisticated artificial intelligence program used to extract the skills reflected in an applicants' resume and match them to the duties required in specific positions. The program provides skills extraction and database search capability.

b. Resumes are scanned into the Resumix system, or entered directly if submitted electronically, at the HRSC-SW. The artificial intelligence

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identifies skills, training, education, and other significant information such as the applicants' name, address, education, and job titles. The information is stored in the system for future matching of specific vacancies.

c. When a vacancy is to be filled, a job description is entered into the Resumix System and from that, the program extracts the skills required to perform the work.

d. Using the position skills, the HRSC-SW will use Resumix to search for applicants whose skills match those needed for the position and produce a list of possible candidates. The database searches for additional parameters such as the area of consideration, cutoff date, applicants' lowest acceptable grade and required skills. Through the use of Resumix the HRSC-SW will issue a referral list.

e. In cases where the STAIRS skills extraction results in a large number (more than 10) of qualified candidates for a single vacancy, a further evaluation may be conducted to produce a more manageable number of candidates. When necessary, the services of a subject matter expert may be used.

11. Application Procedures

a. The resume is the required form of application. The application must be in typewritten format in accordance with the HRSC-SW Applicant Kit. Only one resume at a time will be on file per applicant, however, applicants can submit an updated resume at any time. When an updated resume is received at HRSC-SW, the new resume will replace the one on file. Applicants may update their resume to update personal information (phone number, address, etc.), or to add/delete series for which they want consideration. Such updates must list ALL series in which they are interested.

b. Applicants are required to complete the "Additional Data Sheet" attached to the HRSC-SW Applicant Kit. Any resume received with incomplete Additional Data Sheet or which is over five pages in length will be returned to the applicant with a letter of explanation from the HRSC-SW. The data sheet does not count as one of the five pages.

c. Electronic resumes are encouraged and should be submitted within the text of the e-mail and not as an attachment. Resumes and the Additional Data Sheet should be e-mailed to: wantajob@sw.hroc.navy.mil. Applications can also be sent by U.S. mail to: HRSC-SW, Attn: Code 53 (RB), 525 B Street, Suite 600, San Diego, CA 92101-4418. Faxed resumes will not be accepted by HRSC-SW because of unreliable scanning results.

d. Applicants are encouraged to submit their resumes prior to becoming aware of specific openings in order to receive maximum consideration under open announcements. Only those resumes in the HRSC-SW as of the cutoff date will be considered for a specific vacancy. This replaces the policy of accepting the postmark as the indication of timely filing. The cutoff date is defined as the date of receipt of the personnel action request at the HRSC-SW or a later date as specified by the manager.

e. Resumes or supplemental forms submitted to HRSC-SW under the Merit Staffing Program will not be returned to applicants. All such applications and forms will be retained as part of the Merit Staffing files.

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12. Acceptance of Applications

a. All applications from appointable candidates must be accepted. All appointable applicants who apply must be considered when they are within the AOC, meet legal and regulatory requirements, and whose application the activity solicited without any other preconditions affecting consideration unless covered under paragraph 13 below, Rejection of Applications.

b. Handicapped employees presently serving under Schedule A appointments are not eligible for consideration under the competitive merit staffing program. However, any qualified applicant can be referred separately to the selecting official. In this case, the position then becomes excepted for the duration of the incumbency period or until conversion to a career or career conditional appointment.

13. Rejection of Applications. The following constitutes a basis for rejection when an application is:

a. From a non-status candidate;

b. Outside the area of consideration;

c. Incomplete or does not contain enough information upon which to make a qualifications determination;

d. Falsified information (if an activity employee is involved, appropriate disciplinary action should be taken);

e. Handwritten;

f. Longer than five pages;

g. Not scanable (i.e., dot matrix print, printed on colored paper, etc.);

h. Not in resume format (i.e., SF-171, OF-612);

i. Submitted electronically as an attachment to an e-mail message rather than in the body of the message in text format; or

j. Faxed to the HRSC-SW.

14. Employees on Leave, Official Travel, or Absent Because of Compensable Injury. Employees, including those who expect to be absent on authorized leave or temporary duty, are encouraged to submit their resume electronically to the HRSC-SW prior to their travel. However, they may authorize another employee to submit an application on their behalf for announced vacancies.

15. Employees on Military Duty or in Public International Organization Service. Employees on Military Duty, who are entitled to restoration, and employees in public international organization service will be considered along with other candidates for positions for which they are considered qualified. Absentees who fall within the range of selection will have their names annotated and will be included with those certified to the selecting official for consideration. Written tests and oral interviews will be waived. Such waivers will be cancelled for subsequent placement consideration upon the employee's return to duty at this activity. The employee is responsible for updating application forms prior to departure from this Installation/Station.

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16. Basic Eligibility. To be eligible for promotion or placement, candidates must meet the minimum qualification standards prescribed by OPM and any appropriate selective placement factors established as being essential to performance on the job. If a selective placement factor is used, justification for its use must be kept with the job analysis record. A qualification standard may not be changed after the recruitment process is underway unless an inappropriate standard was used, or OPM has issued a new or a revised standard. Evaluation methods shall not be based on criteria that is not job-related. Candidates must meet time-in-grade and qualification requirements, time after competitive appointment requirements, and any other legal or regulatory requirement prescribed for the position by the cutoff or closing date of the recruitment action.

a. General Schedule (GS) Positions. The qualification standards contained in the OPM Qualification Standards Handbook for General Schedule positions will be applied for all appointments and promotions to GS positions.

b. Federal Wage Service (WG-WL-WS, etc.) Positions. Procedures contained in OPM Handbook X-118C will be used in establishing basic eligibility for wage grade positions.

17. Selection Procedures

a. A selection may be made by a designated selecting official or by a selection advisory board. A selecting official is not required to explain or justify the selection to nonselected candidates. The act of selection is a management right involving the exercise of informed judgment coupled with responsibility for the consequences. Within the range from which selections are permitted, the variations in the relative qualities and qualifications of candidates, as they relate to position and organizational needs, must be left to the discretion of the selecting official, and therefore, are not subject to review by applicants or subordinates. A manager or supervisor has the obligation to determine which applicant will most likely meet mission objectives, contribute fresh ideas and viewpoints, and successfully perform the duties required by the position. Each selecting official must be aware of nepotism regulations and adhere to the principles of equal opportunity. In the event of a discrimination complaint, management is responsible for explaining the selection decision.

b. Personal interviews are not required. When interviews are conducted, all candidates on the promotion certificate must be interviewed in person or by telephone unless not reasonably available.

c. The selecting official retains the right to select from sources other than the Merit Staffing Program.

d. The selecting official is entitled to select any merit promotion candidate referred or to select none at all.

e. The selection of a military veteran under a noncompetitive appointment authority (i.e., VRA, 30% disabled vet, etc.), shall be made in order of preference. A selecting official may not pass over a preference eligible veteran to select a nonpreference eligible veteran unless an objection to the preference eligible is sustained by OPM.

f. The use of advisory selection panel (interview process) is mandatory for GS-13 and above positions, for positions with promotion potential to the GS-13

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and above, and for other positions determined to be equivalent by representative rate comparison. The composition of the panel will be decided upon by the selecting official. Voting panel members must be at levels equal to or higher than the position to be filled. The Human Resources Manager, or designee, will be a nonvoting panel member in all cases. The panel will forward its recommendation for selection to the Chief of Staff for approval.

18. Release of Employees. Selectees will normally be released as follows:

- a. Promotion. Within two weeks.
- b. Reassignment or change to lower grade. Within 30 days.
- c. Overseas. Within 45 days.

19. Records. The HRSC-SW will retain merit promotion records consistent with provisions of reference (a). Records will contain sufficient documentation to allow for reconstruction of the action taken. The MCCHRO-SW will maintain the records from MID recruitment actions in accordance with reference (a).

20. Disclosure of Information. Disclosure of merit staffing information will follow the guidance contained in the Privacy and Freedom of Information Acts. All candidates will have equal access to information on merit promotion processes and procedures. Information that might give some candidates an unfair advantage shall not be released.

21. Grievances and Complaints

a. Management officials should respond promptly to an employee's question or complaint with an appropriate explanation, if possible. If the matter pertains to a merit staffing policy or procedure that can be best answered by a member of the HRO staff, the employees should be referred to the HRO for resolution of the problem on an informal basis.

b. If the matter cannot be resolved on an informal basis and the employee submits a formal complaint, the complaint will be processed as follows:

(1) Employees of a unit having exclusive Union representation have as their sole grievance procedure the negotiated grievance procedure in the Union contract.

(2) Nonbargaining unit members have as their sole grievance procedure the administrative grievance procedure under appropriate regulations.

c. Employees may not grieve nonselection from a group of properly ranked and certified eligibles or failure to receive a noncompetitive promotion.

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DEFINITIONS

1. Area of Consideration. The geographical location from which the activity solicits candidates.
2. Appointable Applicants within the Area of Consideration. Those eligible applicants who meet statutory and regulatory requirements of the legal appointing authority being considered within the area of consideration. Hiring authorities include: current permanent Federal employees, Executive Order 12721, Interagency Career Transition Assistance Plan, Nonappropriated Fund (NAF) Interchange, Outstanding Scholar Program, Persons with Disabilities Employment Program, reinstatement, Student Employment Program, Veterans' Readjustment Appointment, 30% or more Disabled Veteran Program, and Veterans' Employment Opportunity Act. Appointable means career or career-conditional employees, including reassignment or change to lower grade eligibles, and temporary employees with reinstatement or VRA eligibility.
3. Automated Personnel Action Request (APAR). The automated Standard Form 52 (SF-52), Request for Personnel Action.
4. Best Qualified Candidates. Those eligible candidates who rank at the top when compared with other candidates and who are referred to the selecting official on a merit staffing certificate (although normally highly qualified candidates, this group may, under certain conditions, contain both highly qualified and qualified candidates or just qualified candidates).
5. Career Program. A program designed to administer an occupation or cluster of occupations; includes work force analysis, forecasting and planning, and the systematic selection, development, assessment, and use of employees registered in the career program.
6. Career Promotion. A promotion of an employee without current competition when competition was held at an earlier date (including the initial appointment of students in cooperative education programs and in the Student Education Program) and the employee was appointed into an entry level and intermediate position designed or intended to prepare him/her for the full performance level of the position being filled. An activity may make successive noncompetitive promotions of such an employee until the full performance level is reached.
7. Crediting Plan. The skill criteria used in the candidate search process to identify highly qualified candidates with matching skills required by the position. There are two types of skills; required and desired skills. Required job-related skills are those skills that applicants must possess to successfully perform the duties of the position within a reasonable period of time. Desired job-related skills are skills that applicants are not required to have but can be learned on the job and would make the applicant better able to perform the job.
8. Evaluation of Candidates. A process of assessing candidates' qualifications for promotion and the degree to which they possess the skills needed for successful performance in the job to be filled. For each qualified and eligible candidate, the end product of the evaluation is a rating indicative of the applicant's demonstration and/or potential ability to do the job.
9. Highly Qualified Candidates. Those eligible and qualified candidates whose experience, training, and potential substantially exceed the qualification

ENCLOSURE (2)

standard for the position to a degree that indicates that they are likely to be able to perform in the job to be filled in a superior manner.

10. Job Analysis. The methodology used to determine criteria through identification of major job duties and the required and desired skills by which applicants will be rated and ranked for promotion consideration.

11. Known Promotion Potential. Positions with known promotion potential are those from which career promotions can be made. These include: (1) positions filled at a grade (or grades) below the established or anticipated grade level; (2) career ladder positions; and (3) apprentice and trainee positions.

12. Nepotism. Favoritism shown to a relative. A public official may not advocate the employment, promotion or advancement of one of his/her relatives anywhere in the official's own agency or in an agency over which the official exercises jurisdiction or control.

13. Personnel Process Improvement (PPI). The automated system in which you input the Automated Personnel Action Request (APAR), to effect certain personnel actions.

14. Qualified Candidates. Those applicants who meet the qualifications standard for the position, including any appropriate selective factors, and all legal and regulatory requirements.

15. Ranking of Candidates. The process of arranging eligible candidates, in order of merit, relative to each other in accordance with their rating.

16. Relative. With regard to the prohibition on nepotism, the term relative includes the following specific relationships: father, mother, son, daughter, brother, sister, uncle, aunt, first cousin, nephew, niece, husband, wife, father-in-law, mother-in-law, son-in-law, daughter-in-law, brother-in-law, sister-in-law, stepfather, stepmother, stepbrother, stepsister, half brother, or half sister.

17. Selective Factors. These are skills that are essential for satisfactory performance on the job and represent an addition to the basic standard for a position. The following are examples of appropriate selective factors for determining basic eligibility when the factors are essential for successful job performance:

a. Skill in speaking, reading and writing a language other than English.

b. Skill in working with a specific program or mission that cannot readily be acquired after promotion.

c. Skill in a functional area (for example, skill in evaluating alternative automated data processing systems).

18. Student Employment Program. Program under which a student alternates periods of education and federal employment under terms of an agreement between his/her school and a government agency or individual

OCT 17 2001

CONDITIONS OF TEMPORARY PROMOTION

MEMORANDUM

From:

To: Human Resources Office

Subj: CONDITIONS OF TEMPORARY PROMOTION

1. I understand:

a. That I am being temporarily promoted to the position shown below;

Position (title, series, grade):

Not to exceed (date or number of days):

b. That the temporary promotion is being used to fill a temporary position, to accomplish project work, to fill a temporary need during reorganization or downsizing, or to meet other temporary needs for the specified period;

c. That I can be returned to my permanent position at any time;

d. That returning to my permanent position is not subject to reduction in force or adverse action procedures.

Signature

=====

FOR HRO USE

PERSACTION Identification Number: _____

Forward to HRSC-SW Code 534

ENCLOSURE (3)